

**BEST AVAILABLE COPY****LISTING OF CLAIMS**

1. (Currently Amended) ~~An *in vitro* method cell based assay for evaluating cellular responses to peroxisome proliferator activated receptor (PPAR) ligands of identifying a peroxisome proliferator activated receptor (PPAR) modulator comprising the steps of:~~

(a) determining a first level mRNA transcript level of a PPAR responsive gene ~~formed~~ selected from the group consisting of pyruvate dehydrogenase kinase-4 (PDK-4) and adipocyte differentiation relating protein (ADRP), expressed in a cell endogenously expressing one or more PPARs;

(b) contacting ~~[[the]]~~ said cell ~~endogenously expressing the one or more PPARs with a test compound that binds known or suspected to bind to the one or more PPARs *in vitro*;~~

(c) incubating said cell and said test compound;

~~[[c]]~~ d) measuring a second level mRNA transcript level of ~~[[the]]~~ said PPAR responsive gene ~~formed~~ expressed in the cell; and

~~[[d]]~~ e) comparing the first level of mRNA transcript with the second level of mRNA transcript,

wherein, a difference in the first and second levels of mRNA transcript indicates the test compound is a PPAR modulator.

2. (Original) The method of claim 1, wherein the one or more PPARs is selected from the group consisting of PPAR- $\alpha$ , PPAR- $\beta$ ( $\delta$ ), and PPAR- $\gamma$ .

3. (Original) The method of claim 1 wherein the cell is a mammalian cell.

4. (Currently Amended) The method of claim ~~[[3]]~~ 1, wherein the ~~mammalian cell is~~ [[a]] the human proximal tubule derived cell ~~[[Q]]HK-2[[Q]]~~.

5. (Currently Amended) The method of claim 1, wherein the PPAR responsive gene is ~~selected from the group consisting of pyruvate dehydrogenase kinase-4 (PDK-4) and adipocyte differentiation relating protein (ADRP).~~

6-16 (Canceled)

17. (New) An assay for evaluating responses to PPAR ligands comprising the steps of:

(a) determining, in a cell, a first mRNA transcript level of ADRP;

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- (c) incubating said cell and said test compound;
- (d) measuring a second mRNA transcript level of ADRP in the cell; and
- (e) comparing the first level of mRNA transcript with the second level of mRNA transcript,

wherein, a difference in the first and second levels of mRNA transcript indicates the test compound is a PPAR modulator.

18. (New) The method of claim 1, wherein the one or more PPARs is selected from the group consisting of PPAR- $\alpha$ , PPAR- $\beta$ ( $\delta$ ), and PPAR- $\gamma$ .

19. (New) The method of claim 17, wherein the cell is a mammalian cell.

20. (New) The method of claim 17, wherein the cell is the human proximal tubule derived cell HK-2.

21. (New) An assay for evaluating responses to PPAR ligands comprising the steps of:

- (a) determining, in a cell, a first mRNA transcript level of a PPAR responsive gene;
- (b) contacting said cell with a single dose of a test compound that binds one or more PPARs;
- (c) incubating said cell and said test compound;
- (d) measuring a second mRNA transcript level of a PPAR responsive gene in the cell; and
- (e) comparing the first level of mRNA transcript with the second level of mRNA transcript,

wherein, a difference in the first and second levels of mRNA transcript indicates the test compound is a PPAR modulator.

22. (New) The method of claim 21, wherein the one or more PPARs is selected from the group consisting of PPAR- $\alpha$ , PPAR- $\beta$ ( $\delta$ ), and PPAR- $\gamma$ .

23. (New) The method of claim 21, wherein the cell is a mammalian cell.

24. (New) The method of claim 21, wherein the cell is the human proximal tubule derived cell HK-2.